

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

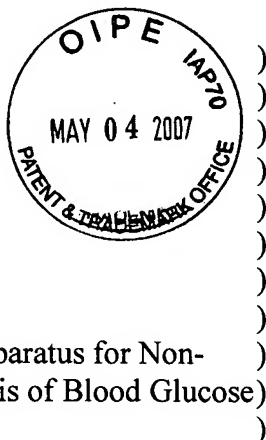
In Re Application Of:

FULLER

Serial No.: 10/823,017

Filed: 04 April 2004

For: Method and Apparatus for Non-Invasive Analysis of Blood Glucose)



Group Art Unit: 3735

Examiner: Navin Natnithithadha

Attorney Docket No.: 300004-00003C

AMENDMENT AFTER ALLOWANCE UNDER 37 CFR 1.312

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This communication is in response to a telephone communication received by Applicant's representative from an unidentified representative of the USPTO (a name was provided, but the mobile telephone connection was poor and the name was not clearly heard) regarding a typographical error in claim 9 that was not detected until after the notice of allowance was mailed on 6 March 2007. No fee is due at this time. The issue fee will be paid shortly.

Remarks

As originally filed, claim 9 mistakenly depended upon itself. This mistake was not set forth in the non-final Office Action of 18 September 2006, nor was it noticed by Applicant when claim 9 was amended in response to that Office Action. Clearly, however claim 9 cannot depend upon itself and requires further amendment. As amended herein, claim 9 now depends on claim

1. Claim 1 has been allowed, so making claim 9 dependent on claim 1 requires no additional search or examination. Claim 9 is patentable because it depends on an allowed base claim, claim 1. This amendment was not presented earlier because the typographical error was only recently discovered.

Amendment of Claims

Applicant respectfully amends the claims as set forth in the following claim listing. No claims have been cancelled. Amendment is hereby made, in the claim listing, to the following claim: 9.